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W.No.15 AMARAVATI, WEDNESDAY, APRIL 15, 2020

**G.7** 

#### RULES SUPPLEMENT TO PART I

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# GENERAL ADMINISTRATION DEPARTMENT (SC.F)

ANDHRA PRADESH ANTI-CORRUPTION SERVICE RULES.

[G.O.Ms.No. 34, General Administration (SC.F).15th April,2020.]

#### **NOTIFICATION**

In exercise of the powers conferred by the proviso to article 309 of the Constitution of India and of all other powers hereunto enabling and in supersession of the Special Rules issued earlier in G.O. Ms. No. 100, General Administration (SC.D) Department, dated 26.02.1992 as subsequently amended and any orders / Notifications issued earlier on the subject, the Governor of Andhra Pradesh hereby makes the following Special Rules for the Andhra Pradesh Anti-Corruption Bureau Service.

#### 1. Short title :-

These rules shall be called as the Andhra Pradesh Anti-Corruption Bureau Service Rules, 2019.

#### 2. Constitution:-

The Service shall consist of the following classes and categories of posts in the Andhra Pradesh Anti-Corruption Bureau Service.

#### CLASS A:

Category (1) : Joint Director (Non-cadre)

Category (2) : Additional Superintendent of Police (Non-cadre)

Category (3) : Deputy Director (Revenue)

Category (4) : Deputy Director (Engineering)

Category (5) : Deputy Superintendent of Police

Category (6) : Deputy Executive Engineer / Assistant Executive Engineer

Category (7) : Inspector

CLASS B:

Category (1) : Chief Legal Advisor

Category (2) : Legal Advisor-cum-Special Public Prosecutor including

Government Counsel and Additional Government Counsel.

CLASS C:

Category (1) : Deputy Director (Accounts)

Category (2) : Deputy Director (Administration)

Category (3) : Administrative Officer (Special Branch)
Category (4) : Assistant Director (Administration)

Category (5) : Assistant Accounts Officer
Category (6) : Managers (Special Branch)
Category (7) : Computer Programmer

#### 3. Method of Appointment and Appointing Authority:-

Subject to the other provisions, in these rules the method of appointment and Appointing Authority shall be as mentioned in Column (2) and (3) against each class / category in Column (1) of the table below:

## **TABLE**

| Class / Category / Post   | Method of Appointment  | Appointing<br>Authority |
|---------------------------|--|-------------------------|
| (1)                       | (2)  | (3)                     |
| CLASS – A                 |  |                         |
| Category (1)              | By transfer / on tenure of a Superintendent  | Government              |
| Joint Director ( Non-     | of Police (Non-cadre) of Police Department   |                         |
| cadre)                    |  |                         |
| Category (2)              | By transfer / on tenure of an Additional   | Government              |
| Additional Superintendent | Superintendent of Police of Police   |                         |
| of Police                 | Department   |                         |
| Category (3)              | By transfer / on tenure of Special Grade   | Government              |
| Deputy Director           | Deputy Collector of Revenue Department   |                         |
| (Revenue)                 |  |                         |
| Category (4)              | By transfer / on tenure of an Executive  | Government              |
| Deputy Director           | Engineer of R & B Department or Water  |                         |
| (Engineering)             | Resources Department   |                         |
| Category (5)              | By transfer / on tenure of a Deputy  | Government              |
| Deputy Superintendent of  | Superintendent of Police of Police   |                         |
| Police                    | Department   |                         |
| Category (6)              | By transfer / on tenure of Deputy Executive  | Government              |
| Deputy Executive          | Engineer or Assistant Executive Engineer of  |                         |
| Engineer / Assistant      | Roads & Buildings Department or Water  |                         |
| Executive Engineer        | Resources Department   |                         |
| Category (7)              | By transfer / on tenure of Inspectors of   | Director                |
| Inspector                 | Police of Police Department.   | General, Anti           |
|                           | ·  | Corruption              |
|                           |  | Bureau.                 |
| CLASS – B                 |  |                         |
|                           | i. By transfer on tenure of a District and   |                         |
|                           | Sessions Judge, Grade-II of Judicial   |                         |
|                           | Department or by deputation of an officer of   |                         |
|                           | comparable rank in a similar organization in   |                         |
|                           | the Government of India.   |                         |
|                           | ii. By retired District and Sessions Judge   |                         |
| Category (1)              | Grade-II having requisite qualifications to be   |                         |
| Chief Legal Advisor       | appointed as Special Public Prosecutor   |                         |
|                           | under sub-section (8) of Section 24 of the Code of Criminal Procedure, 1973 ( Act 2 of | Government              |
|                           | 1974) on tenure / contract basis for a period  |                         |
|                           | of 3 years, terminable with 3 months notice  |                         |
|                           | or cash payment I lieu thereof.  |                         |
|                           | iii. By practicing advocate having requisite   |                         |
|                           | qualification for appointment as Special   |                         |
|                           | Public Prosecutor under Sub-section (8) of   |                         |
|                           | Section 24 of the Code of Criminal Procedure   |                         |
|                           | 1973 ( Act 2 of 1974) on tenure / contract   |                         |
|                           | basis for a period of 3 years, terminable with   |                         |
|                           | 3 months notice or cash payment in lieu  |                         |
|                           |  |                         |

| Class / Category / Post  | Method of Appointment  | Appointing<br>Authority |
|--|--|-------------------------|
| (1)  | (2)  | (3)                     |
| Category (2) (a) Legal Advisor-cum- Special Public Prosecutor  | i. By appointment either by transfer on a tenure basis of a District Munsiff of the Judicial Department or Additional Public Prosecutor Grade-I / Joint Director or Additional Public Prosecutor Grade-II or Senior Assistant Public Prosecutor with requisite qualifications as laid down under subsection (8) of Section 24 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) or by appointment on contract basis for a period not exceeding three years, from among the Advocates having practice of not less than ten years.  ii. If no suitable persons are available by the method mentioned at (i) above, appointment on deputation basis from among the members of the prosecuting staff of comparable rank in similar organizations in the State like Crime Branch of Central Investigation Department, Intelligence, Vigilance organizations and Central Organizations like Central Bureau of Investigation. | Government              |
| (b) Government Counsel<br>and Additional<br>Government Counsel | Appointment by transfer on tenure basis of a District Munsiff of the Judicial Department or Additional Public Prosecutor Grade-I / Joint Director or Additional Public Prosecutor Grade-II or Senior Assistant Public Prosecutor.  |                         |
| CLASS – C  |  |                         |
| Category (1) Deputy Director (Accounts)                        | i. By transfer on tenure of Chartered Accountant/ Cost Accountant working in any State Government Department in a comparable post, or  ii. By deputation on tenure of Income Tax Officers of Government of India or officers of comparable rank in a similar organization in the Government of India; or  iii. By appointment on contract; or  iv. By appointment on tenure basis of Chartered / Cost Accountant working in any State Government / Corporation / Government Company.   | Government              |

| Class / Category / Post                                    | Method of Appointment   | Appointing<br>Authority                             |
|--|---|---|
| (1)  | (2)   | (3)   |
| Category (2) Deputy Director (Administration)              | <ul> <li>i. By promotion from the post of Assistant Director (Admn.) O/o the Director General, Anti-Corruption Bureau.</li> <li>ii. If no suitable or qualified person I the category of Assistant Director (Admn.) is available, by transfer on tenure basis of a "Chief Administrative Officer" from the Office of the Director General of Police.</li> </ul> | Director<br>General, Anti-<br>Corruption<br>Bureau. |
| Category (3)<br>Administrative Officer<br>(Special Branch) | By promotion from Class C, Category (6) viz.,<br>Manager (SB) in ACB.   | Director<br>General, Anti-<br>Corruption<br>Bureau. |
| Category (4) Assistant Director (Administration)           | <ul> <li>i. By appointment by transfer of Superintendent of the Andhra Pradesh Ministerial services of Anti-Corruption Bureau.</li> <li>ii. If no suitable or qualified Superintendents are available by transfer on tenure of Gazetted Personal Assistants (Administrative Officer) in the Police Department.</li> </ul>                                       | Director<br>General, Anti-<br>Corruption<br>Bureau. |
| Category (5)<br>Assistant Accounts Officer                 | By Deputation on tenure of Assistant<br>Accounts Officer from the O/o the<br>Directorate of Treasuries and Accounts   | Director<br>General, Anti-<br>Corruption<br>Bureau. |
| Category (6)<br>Manager (SB)                               | i. By appointment by transfer of Special Branch Assistants in Anti-Corruption Bureau. ii. If no suitable or qualified person in the category of S.B. Assistant is available by transfer on tenure of Managers in the Intelligence Branch of Andhra Pradesh State Police Department.   | Director<br>General, Anti-<br>Corruption<br>Bureau. |
| Category (7)<br>Computer Programmer                        | By deputation from the Andhra Pradesh<br>Technological Services Limited, on lease-in-<br>basis.   | Director<br>General, Anti-<br>Corruption<br>Bureau. |

#### 4. Period of tenure:-

- (a) The appointment on tenure to any post in the service shall not ordinarily be for more than (5) years at a time.
- (b) Provided that if any officer, who is promoted on out of turn seniority basis in the parent Department, the total tenure shall not exceed three years.

- (c) Provided further that nothing in this rule shall preclude the Government or the Director General of Anti-Corruption Bureau, as the case may be, to repatriate the officers taken on tenure to their parent department before expiry of the specified period of tenure, if it is considered necessary in public interest.
- (d) Provided also that if the appointment on tenure to the post viz., Deputy Director (Administration) in the service shall not ordinarily be for more than one (1) year at a time.

#### 5. Qualifications:-

No person shall be eligible for appointment to the categories specified in column (1) of the <u>Annexure</u> to these rules by the method specified in column (2) unless he / she possesses the qualifications specified in the corresponding entry in column (3) thereof.

6. Every person appointed to any of the posts either by promotion or by transfer (not by transfer on tenure) shall, from the date on which he commences probation be on probation for a total period of one (1) year on duty within a continuous period of (2) two years.

ANNEXURE
[ See Rule 5]

| Class / Category / Post                             | Method of Appointment                                       | Qualification  |  |  |
|---|---|--|--|--|
| (1)   | (2)   | (3)  |  |  |
| CLASS – C   |   |  |  |  |
| Category – 1 Deputy Director (Accounts)             | As indicated<br>against the<br>post at Col.2<br>of Rule – 3 | Must have passed the Chartered Accountant examination of the Government. Examination of a University established or incorporated by or under a Central Act, State Act or a Provincial Act or an Institution recognized by the University Grants Commission or an equivalent examination. |  |  |
| Category – 2<br>Deputy Director<br>(Administration) | -do-  | Must have put in (2) two years of service as Assistant Director (Administration) in the Office of the Director General, Anti-Corruption Bureau.  |  |  |

| Class / Category / Post                                    | Method of<br>Appointment | Qualification  |
|--|--------------------------|--|
| (1)  | (2)                      | (3)  |
| Category – 3<br>Administrative Officer (Special<br>Branch) | -do-                     | Must have put in (2) two years of service as Manager (Special Branch) in the Office of the Director General, Anti-Corruption Bureau.   |
| Category – 4<br>Assistant Director<br>(Administration)     | -do-                     | <ul> <li>(i) Must have completed (2) years of service as Superintendent;</li> <li>(ii) Must have passed the departmental test for clerks in Police Department;</li> <li>(i) Must have passed Accounts Test for Subordinate Officers Part-I.</li> </ul> |
| Category – 6<br>Manager (SB)                               | -do-                     | Must have passed Departmental Test for clerks of Police Department;      Must have put in 2 (two) years of service as Special Branch Assistant.  |

### PRAVEEN PRAKASH,

Principal Secretary to Government (Poll).

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